

AMENDMENT TO H.R. 1542, AS AMENDED
OFFERED BY MR. CANNON, MR. CONYERS, MR.
MARKEY, MR. FLAKE, MR. LUTHER, AND MR.
NADLER

**Safeguard Competitive Investments and Preserve State
Authority and Consumer Safeguards**

Page 6, beginning on line 5, strike “neither the Commission, nor any State, shall have” and insert “the Commission shall have no”.

Page 6, beginning on line 15, strike “State to regulate circuit-switched telephone exchange services,” and insert “State,”.

Page 6, line 13, strike “(b) SAVINGS PROVISION.—” and insert the following:

- 1 “(b) SAVINGS PROVISIONS.—
- 2 “(1) STATE AUTHORITY.—”.

Page 6, after line 18, insert the following new paragraphs:

- 3 “(2) EXISTING RULES AND COMPETITION PRE-
- 4 SERVED.—Notwithstanding the limitations on Com-
- 5 mission and State authority contained in the Inter-
- 6 net Freedom and Broadband Deployment Act of
- 7 2001 (including the amendments made by such Act),



1 in order to preserve and promote fair competition,
2 innovation, economic investment, and consumer
3 choice, no provision of such Act or amendments shall
4 restrict or affect in any way the application and en-
5 forcement of the Federal and State rules in effect on
6 the date of enactment of such Act relating to the
7 rates, charges, terms, and conditions for the pur-
8 chasing or leasing of telecommunications services
9 and network elements by competitive telecommuni-
10 cations carriers.

11 “(3) ADDITIONAL COMMISSION AUTHORITY
12 PRESERVED.—Notwithstanding the limitations on
13 Commission authority contained in the Internet
14 Freedom and Broadband Deployment Act of 2001
15 (including the amendments made by such Act), such
16 Act and amendments shall not restrict or affect in
17 any way—

18 “(A) the authority of the Commission to
19 adopt regulations to prohibit unsolicited com-
20 mercial e-mail messages;

21 “(B) the authority of the Commission to
22 regulate changes in subscriber carrier selections
23 or the imposition of charges on telephone bills
24 for unauthorized services; or

25 “(C) the authority of the Commission—



1 “(i) with respect to customer propri-
2 etary network information, as provided in
3 section 222;
4 “(ii) with respect to rules and proce-
5 dures adopted pursuant to section 223 to
6 restrict the provision of pornography to
7 minors and unconsenting adults; or
8 “(iii) with respect to access by per-
9 sons with disabilities, as provided in sec-
10 tion 255.

Page 7, beginning on line 11, strike “neither the Commission nor any State shall require” and insert “the Commission shall not require”.

Page 12, beginning on line 23, strike “Internet access” and insert “such”.

